

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MARTIN COHEN, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

LUCKIN COFFEE INC., JENNY ZHIYA
QIAN, and REINOUT HENDRIK SCHAKEL,

Defendants.

Case No. 1:20-cv-01293-LJL

CLASS ACTION

Caption continued on next page.

**DECLARATION OF GERALD H. SILK IN SUPPORT OF THE MOTION OF
SJUNDE AP-FONDEN AND LOUISIANA SHERIFFS' PENSION & RELIEF FUND FOR
APPOINTMENT AS LEAD PLAINTIFF, APPROVAL OF SELECTION OF LEAD
COUNSEL, AND CONSOLIDATION OF RELATED ACTIONS**

WAI CHUN SHEK, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

LUCKIN COFFEE INC., JENNY ZHIYA
QIAN, CHARLES ZHENGYAO LU,
REINOUT HENDRIK SCHAKEL, JINYI
GUO, JIAN LIU, HUI LI, ERHAI LIU,
CREDIT SUISSE SECURITIES (USA) LLC,
MORGAN STANLEY & CO. LLC, CHINA
INTERNATIONAL CAPITAL
CORPORATION, HONG KONG
SECURITIES LIMITED, HAITONG
INTERNATIONAL SECURITIES
COMPANY LIMITED, KEYBANC
CAPITAL MARKETS INC., AND
NEEDHAM & COMPANY, LLC,

Defendants.

Case No. 1:20-cv-02977-NRB

CLASS ACTION

I, Gerald H. Silk, declare as follows:

1. I am a member in good standing of the bars of the State of New York and of this Court. I am a partner in the law firm of Bernstein Litowitz Berger & Grossmann LLP (“Bernstein Litowitz”). I submit this declaration in support of the Motion of Sjunde AP-Fonden (“AP7”) and Louisiana Sheriffs’ Pension & Relief Fund (“Louisiana Sheriffs”) for an order: (1) appointing AP7 and Louisiana Sheriffs as Lead Plaintiff; (2) approving their selection of Kessler Topaz Meltzer & Check, LLP (“Kessler Topaz”) and Bernstein Litowitz as Lead Counsel for the Class; (3) consolidating the above-captioned actions and any related securities class actions pursuant to Rule 42(a) of the Federal Rules of Civil Procedure; and (4) for any such further relief as the Court may deem just and proper.

2. Attached as Exhibits A through I are true and correct copies of the following documents:

EXHIBIT A: Certifications of AP7 and Louisiana Sheriffs;

EXHIBIT B: Charts of transactions and losses of AP7 and Louisiana Sheriffs;

EXHIBIT C: Notice of pendency of *Cohen v. Luckin Coffee Inc.*, No. 1:20-cv-01293 (S.D.N.Y.), published on February 13, 2020;

EXHIBIT D: Notice of pendency of *Sterckx v. Luckin Coffee Inc.*, No. 1:20-cv-01677 (E.D.N.Y.), published on April 2, 2020;

EXHIBIT E: Notice of pendency of *Gopu v. Luckin Coffee Inc.*, No. 1:20-cv-01747 (E.D.N.Y.), published on April 6, 2020;

EXHIBIT F: Notices alerting investors to the filing of the expanded class period and additional claims;

EXHIBIT G: Joint Declaration of Richard Gröttheim and Osey McGee Jr. in Support of the Motion of Sjunde AP-Fonden and Louisiana Sheriffs’ Pension & Relief Fund for Appointment as Lead Plaintiff and Approval of Selection of Counsel;

EXHIBIT H: Firm Résumé of Kessler Topaz; and

EXHIBIT I: Firm Résumé of Bernstein Litowitz.

I declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge.

Executed this 13th day of April, 2020.

/s/ Gerald H. Silk
Gerald H. Silk